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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 PAUL O'BEIRNE,

9 Plaintiff,

10 v.

11 TROY STAFFORD,

12 Defendant.


NO. C15-1330RSL

ORDER AWARDING FEES AND
COSTS

13 This matter comes before the Court on "Plaintiff Paul O'Beirne's Motion for Attorney's
14 Fees and Costs." Dkt. # 54. On January 28, 2019, the Court awarded plaintiff the reasonable
15 attorney's fees, costs, and travel expenses incurred in connection with defendant's previous
16 failure to appear for his deposition and a related motion to compel. Having reviewed the
17 unopposed application, the supporting declaration and exhibit, and the remainder of the record,
18 the Court finds that counsel's hourly rates are reasonable. Certain fees requested by plaintiff are
19 not recoverable, however. Charges related to time spent attempting to resolve the discovery
20 dispute prior to filing the motion to compel, reporting to the client, and reviewing the file were
21 not "incurred in making the motion" as required by Rule 37. After making appropriate
22 deductions, the Court finds that plaintiff is entitled to reimbursement of fees in the amount of
23 \$ 4,088.00 and costs in the amount of \$1,159.61, for a total of \$5,247.61. Defendant shall pay
24 this amount to plaintiff, c/o Yarmuth LLP at 1420 Fifth Ave., Suite 1400, Seattle, WA 98101,
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1 within twenty-eight days of the date of this Order.
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3 Dated this 5th day of April, 2019.
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7 Robert S. Lasnik
8 United States District Judge
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